

To: Mylott, Richard[Mylott.Richard@epa.gov]
From: Morning Consult
Sent: Wed 9/7/2016 12:29:28 PM
Subject: Morning Consult Energy: Senate Takes First Step Toward WRDA; Judge Temporarily Stops Some Work on Dakota Access Pipeline

By [Asha Glover](#)

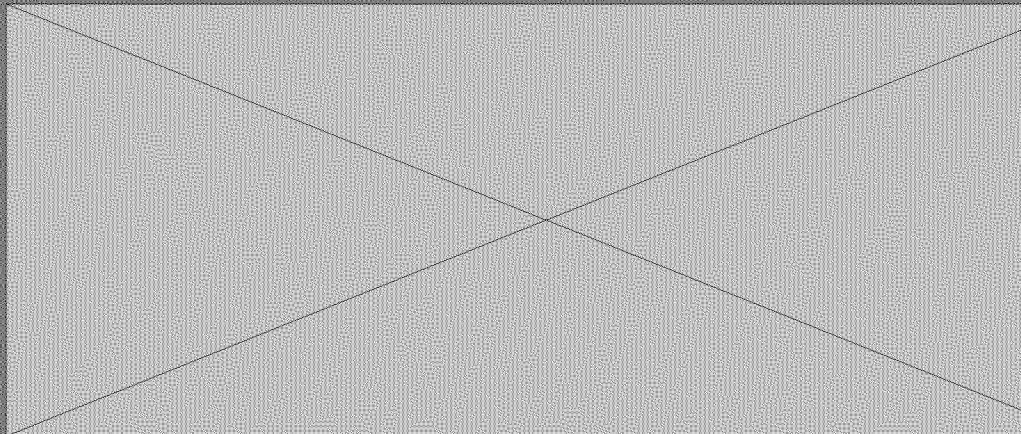
Today's Washington Brief

- The Senate took the first step toward moving forward on the Water Resources Development Act - a waterways bill that also contains funding for Flint, Mich. A spokesman for Senate Majority Leader Mitch McConnell (R-Ky.) said there's not an agreement to adopt the motion to proceed, but lawmakers are working on it. ([The Hill](#))
- Industry and environmental advocates don't expect House and Senate lawmakers to come to an agreement over their energy bills until after the November elections, in part because there isn't enough time to negotiate certain issues before lawmakers leave Washington again. The conference committee for the measure will meet to discuss their priorities during opening statements on Thursday. ([Morning Consult](#))
- House Science, Space, and Technology Committee Chairman Lamar Smith (R-Texas) on Tuesday criticized President Obama's decision to formally join the Paris Agreement over the weekend and said the president didn't ask for a congressional review of the agreement because he knew lawmakers would not approve it. Smith also said the agreement could cost the U.S. up to \$176 billion per year, raise electric bills, cost jobs and slow economic growth - but it would have no significant effects on climate change. ([Washington Examiner](#))

Today's Business Brief

- In a win for the Standing Rock Sioux Tribe, a federal judge temporarily stopped construction on some, but not all, of a part of the \$3.8 billion Dakota Access Pipeline. U.S. District Judge James Boasberg said he will rule on the tribe's challenge of federal regulator's decision to grant permits to the pipeline's operators by the end of Friday. ([Associated Press](#))

Today's Chart Review



Mark Your Calendars (All Times Eastern)

Wednesday

House Energy and Commerce subcommittee holds a hearing on the Federal Power Act 10 a.m.

House Natural Resources Committee holds a markup 5 p.m.

Thursday

House and Senate Energy Conference 9:30 a.m.

House Natural Resources Committee holds a markup 11 a.m.

Friday

No events scheduled

General

Lawmakers will kick off a conference committee meeting on Thursday to reconcile the House and Senate energy bills, but industry and environmental advocates don't expect a deal until after the November elections. Thursday's open meeting will offer a preview of lawmakers' priorities as conference committee members make statements.

With the clock ticking on the 114th Congress, House and Senate conferees will sit down this week for the first time in public to see whether they can buck the odds and pass the first comprehensive energy reform package in nearly a decade. The chairmen and ranking members on the Senate Energy and Natural Resources Committee, House Energy and Commerce Committee, and Natural Resources Committee spent weeks this summer discussing whether going to conference was worth the trouble.

Congress is going down to the wire on a bill to rewrite federal energy policy. Lawmakers on both sides of the aisle, industry groups and businesses have long hoped this Congress would produce the first major overhaul of federal energy laws in a decade.

A major environmental group is launching a new \$860,000 advertising campaign in Nevada to paint GOP Senate candidate Joe Heck as a threat to the state's clean power industry. The ad, released Tuesday by the League of Conservation Voters Victory Fund, says Nevada's solar, wind and geothermal industries employ more than 25,000 people, and all of those jobs are at risk from Heck's friendliness with the oil industry.

The rise of Donald J. Trump, with his hostility toward free trade and vow to protect entitlements, is a sharp rebuke to the free-market principles long

championed by the billionaire brothers Charles G. and David H. Koch. But if the Koch brothers have lost the battle for conservative values in 2016, they are also quietly preparing for a long war.

Emerging-market stocks gained with commodities as a slew of weak U.S. economic data quelled speculation the Federal Reserve will raise interest rates as early as this month. European equities traded near their highest level since April. An MSCI gauge of shares in developing nations to its highest levels in more than a year as relatively loose monetary policy in major industrialized nations fueled a search for higher yields.

Oil & Natural Gas

An American Indian tribe succeeded Tuesday in getting a federal judge to temporarily stop construction on some, but not all, of a portion of a \$3.8 billion four-state oil pipeline, but their broader request still hangs in the balance. U.S. District Judge James Boasberg said Tuesday that work will temporarily stop between North Dakota's State Highway 1806 and 20 miles east of Lake Oahe, but will continue west of the highway because he believes the U.S. Army Corps of Engineers lacks jurisdiction on private land.

The U.S. Army Corps of Engineers says it does not oppose the temporary halt of construction on the Dakota Access Pipeline, a \$3.8 billion oil pipeline slated to run through four states, including North Dakota. As we've reported, the Standing Rock Sioux Tribe opposes the pipeline because it fears it could disturb sacred sites and affect the drinking water.

Williams Partners LP said it is looking at ways to convert its olefins plant in Geismar, La., into another source of cash, including a possible sale or long-term fee-based services agreement. Williams Partners, an affiliate of

natural gas pipeline company Williams Cos., operates and has an 88.5% ownership interest in the Geismar plant.

The focus of an intense fight over the proposed \$3.8 billion Dakota Access crude oil pipeline appears to be an easement that project developers need to cross a federal reservoir and dam in South Dakota. Climate activists who led the battle against the Keystone XL pipeline are urging the White House to intervene and prevent the Army Corps of Engineers from granting the easement that would allow Energy Transfer Partners LP to modify Lake Oahe and the Oahe Dam, the nation's fourth largest artificial reservoir, which straddles the Missouri River north of Pierre, S.D.

Oil rose on Wednesday to pare some of the previous day's losses, partly thanks to a weaker U.S. dollar, but the limited likelihood of a near-term agreement among the world's biggest exporters to rein in production kept gains in check. November Brent crude futures rose 50 cents to \$47.76 a barrel by 1105 GMT, while U.S. crude futures gained 40 cents to trade at \$45.23 a barrel.

Utilities & Infrastructure

Senate Majority Leader Mitch McConnell took the first procedural step on Tuesday evening towards advancing a \$9.4 billion waterways bill that contains emergency funding for Flint, Mich. Although the Kentucky Republican moved to proceed to the Water Resources Development Act (WRDA) - which authorizes dozens of waterways projects around the country - an aide cautioned that there's not yet an agreement on adopting the motion to proceed.

Canadian pipeline operator Enbridge Inc. on Tuesday agreed to buy Houston's Spectra Energy Corp. in an all-stock deal valued at about \$28

billion, creating a North American energy-infrastructure giant at a time when growth is challenged by lower commodity prices and higher regulatory hurdles. The deal is a shift away from reliance on crude oil and is a bullish bet on natural gas by crude-hauling heavyweight Enbridge.

Federal funding for the drinking water crisis in Flint, Mich., remains unresolved as Congress returns from a seven-week recess. It's been nearly a year since Michigan Gov. Rick Snyder (R) publicly acknowledged that the water in the city of 100,000 was contaminated with lead, partly due to his administration's decision to switch the city's water source.

A group of Texas state lawmakers and advocacy groups urged members of the state's congressional delegation to support the Senate's \$10.6 billion version of the Water Resources Development Act on Tuesday. The Senate's bill allocates \$4.8 billion for programs under the Safe Drinking Water Act and Clean Water Act, including \$220 million for Flint, Mich., and other cities with similar water infrastructure issues.

Renewables

Tesla Motors' proposed acquisition of SolarCity is most likely to come down to whether shareholders support Elon Musk in his vision of creating a solar power juggernaut. Yet the deal also raises broader issues of how and when shareholders should vote to approve acquisitions.

Two San Antonio solar energy companies are squaring off in two courts over an ill-fated deal. Buenavista Renewables Ltd. alleges in a lawsuit filed last week in Bexar County District Court that OCI Solar Power reneged on a deal to invest \$5 million in Buenavista.

The plan is not just to add solar capability to an existing roof, but to use roofing materials that actually integrate solar cells directly as a substitute for more traditional materials, such as tile or steel. The whole point of SolarCity's approach is to lower some of the barriers to solar adoption for everyday homeowners, by creating a product that has a similar installation process and timeline when compared to traditional roofs, as well as a look that is not out-of-place or otherwise unattractive.

Coal

Supporters are urging Hillary Clinton to play offense when talking about climate change, even in places where that message might not be popular, such as in coal country and the natural gas fields of Ohio. With leads in just about every poll, it might be tempting for the Democratic nominee to steer clear of talking about climate and instead ensure she wins Pennsylvania and Ohio, two important swing states.

Nuclear

The September deadline is here and still no word on closing the Clinton Power Plant as negotiations are still being discussed. Back in June, Exelon said if they got enough funding by September, they would be able to keep the plant open.

Climate

Airlines on Tuesday called on governments to voluntarily sign up to a global deal designed to reduce carbon dioxide emissions from aviation, saying they would have preferred a "more ambitious" timeline. The proposed new deal on aviation, which aims to cap the carbon pollution of all international flights at 2020 levels, will be voluntary between 2021 and 2026 and then mandatory from 2027 for the world's largest emitters.

Last fall, ExxonMobil executives hurried along the hushed, art-filled halls of the company's Irving, Texas, headquarters, a 178-acre suburban complex some employees facetiously call "the Death Star," to a series of emergency strategy meetings. The world's largest oil explorer by market value had been hit by a pair of multipart investigations by *InsideClimate News* and the *Los Angeles Times*.

House Science, Space, and Technology Committee Chairman Lamar Smith (R-Texas) on Tuesday criticized President Obama's decision to formally join the Paris Agreement this weekend, saying the president didn't ask for a congressional review of the agreement because he knew lawmakers would not approve it. "In committing the United States to the United Nation's Paris climate agreement, the president is wrongly trying to make law by his own executive action," Smith said in a statement.

Except for a series of tweets, Gore has done little to make himself a player in Hillary Clinton's presidential campaign. Given his long ties to the Clintons - he was Bill Clinton's vice president for eight years - and how Democrats have made his top priority, climate change, a campaign issue this year, Gore might be expected to play a higher-profile role in the race.

Late last week, the White House announced something seemingly mundane - a series of new topographic maps of the U.S.'s only Arctic state, Alaska. Ninety percent of the enormous state has now been mapped at a far higher resolution than ever before - 2 meters - through satellite-based imaging combined with high-powered computing.

Opinions, Editorials & Perspectives

A magnitude 5.6 earthquake shook Oklahoma on Saturday, tied for the strongest quake ever recorded in the state. Odds are it was triggered by fracking operations - specifically the subsurface injection of fracking wastewater.

Research Reports, Issue Briefs & Case Studies

The mix of energy sources used for power generation in California this summer changed from last summer, as renewables and imported electricity offset lower natural gas use. During summer 2016 (June, July, and August), thermal generation (almost all from natural gas) in the area serviced by the California Independent System Operator (CAISO) was down 20% from the previous summer, while generation from hydroelectricity, other renewables, and electricity imports was higher than the same period last year.

Update Profile .